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## EXAMINATION OF APPLICATIONS

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PTO/SB/26 (08-22)

|  |                        |            |
|--|------------------------|------------|
| <b>REQUEST<br/>FOR<br/>CONTINUED EXAMINATION (RCE)<br/>TRANSMITTAL</b>   | Application Number     | 09/901,155 |
| Subsection (b) of 35 U.S.C. § 132, effective on May 28, 2000,<br>provides for continued examination of an utility or plant application<br>filed on or after June 8, 1995.<br>See The American Inventors Protection Act of 1980 (AIPA). | Filing Date            | 7/10/2001  |
|  | First Named Inventor   | Schommer   |
|  | Group Art Unit         | 3752       |
|  | Examiner Name          | Kum        |
|  | Attorney Docket Number | 1168.002   |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
NOTE: 37 C.F.R. § 1.114 is effective on May 28, 2000. If the above-identified application was filed prior to May 28, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (4) (PTO/SB/26) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 53092 (Aug. 16, 2000), 65 Fed. Reg. 14885 (Mar. 20, 2000), 1252 Off. Gaz. Pat. Office (Apr. 11, 2000) which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s) reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_
3. ☒ Fees The RCE fee under 37 C.F.R. § 1.17(a) is required by 37 C.F.R. § 1.114 when the RCE is filed
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to:
- Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(a)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.135 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2001 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                    |                                   |        |
|-------------------|--------------------|-----------------------------------|--------|
| Name (Print Type) | JOHN ROGERS        | Registration No. (Attorney/Agent) | 33549  |
| Signature         | <i>[Signature]</i> | Date                              | 4/7/04 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage so that same mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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|-------------------|--------------------|------|--------|
| Name (Print Type) | John Rogers        | Date | 4/7/04 |
| Signature         | <i>[Signature]</i> |      |        |

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